

ATTACHMENT A
SUNRISE MANOR TOWN ADVISORY BOARD
ZONING AGENDA
THURSDAY, 6:30 P.M., FEBRUARY 16, 2017

03/07/17 PC

1. **UC-0036-17 – AOT, LTD:**
USE PERMIT to reduce the setback from an existing communication tower to a residential development.
WAIVER OF DEVELOPMENT STANDARDS to allow an architectural intrusion within the required setback.
DESIGN REVIEW for an existing communication tower and associated equipment in conjunction with an existing hardware store on 1.5 acres in a C-2 (General Commercial) (APZ-2) Zone. Generally located on the north side of Lake Mead Boulevard and 130 feet east of Abels Lane within Sunrise Manor. MK/lm/ma (For possible action)

COMMUNICATION TOWER
(TITLE 30)

LAKE MEAD BLVD/ABELS LN

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-0036-17 – AOT, LTD:

USE PERMIT to reduce the setback from an existing communication tower to a residential development.

WAIVER OF DEVELOPMENT STANDARDS to allow an architectural intrusion within the required setback.

DESIGN REVIEW for an existing communication tower and associated equipment in conjunction with an existing hardware store on 1.5 acres in a C-2 (General Commercial) (APZ-2) Zone.

Generally located on the north side of Lake Mead Boulevard and 130 feet east of Abels Lane within Sunrise Manor. MK/lm/ma (For possible action)

RELATED INFORMATION:

APN:

140-20-201-019

USE PERMIT:

Reduce the setback from an existing communication tower to a residential development to 25 feet where a minimum of 126 feet is required, per Table 30.44, (an 80.2% reduction).

WAIVER OF DEVELOPMENT STANDARDS:

Allow an architectural feature (communication tower antennas) to project 7.5 feet into the required setback where a maximum of 3 feet is allowed, per Table 30.40-4, (a 150% increase).

LAND USE PLAN:

SUNRISE MANOR - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:

Project Description

General Summary

- Site Address: 4438 E. Lake Mead Boulevard
- Site Acreage: 1.5
- Project Type: Communication tower
- Tower Height: 75 feet

Site Plans & History

The plans show an existing communication tower located approximately 25 feet from the west property line and 73 feet from the north property line of an existing hardware store. The

communication tower was approved by action of UC-213-91 at a height of 65 feet. However, the plans approved with the Building Department (PAC-00-39166) reflected a height of 62 feet and the tower was constructed to that height. Although the location of the tower is not changing physically, the increase in height to 75 feet requires a greater setback from an adjacent residential development which necessitates the additional use permit request. The residential development is located approximately 25 feet west of the existing communication tower. The existing tower base and ground equipment are screened by a 6 foot high chain link fence with mesh screening. Access to the site is from Lake Mead Boulevard.

Elevations

The plans depict an increase to the existing 62 foot high communication tower to an overall height of 75 feet to add a new antenna array for a total of 3 antenna arrays on the tower. The antennas of the communication tower project approximately 7.5 feet from the pole and into the required setback. The antennas and new equipment will be painted "Desert Tan".

Applicant's Justification

The applicant indicates that the height increase is to accommodate a new co-location antenna array on the tower and maximize the use of the facility.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-213-91 & VC-466-91	Construct and maintain cellular communications facility with 65 foot high tower with antennas & variances to allow height to 65 feet, waive on-site paving, waive landscaping along street frontage wall enclosed trash area	Approved by PC	August 1991
ZC-111-70	Reclassified the northerly portion of the property from R-E to C-2 zoning	Approved by BCC	December 1970

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Business and Design/Research Park	C-1	Recreational vehicle storage facility
South	Business and Design/Research Park	C-2	Undeveloped
West	Business and Design/Research Park	R-E & M-D	Single family residential & Automobile maintenance facility

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Current Planning

Use Permit & Design Review

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Plan. One of several criteria the applicant must

establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

The location of the tower remains the same and the request complies with Utilities Policy 1 of the Clark County Comprehensive Plan which states that development in Clark County shall be adequately served by utilities; therefore staff can support the request.

Waiver of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses and value of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Staff can support the increase in the architectural intrusion (antennas) into the required setback since the design of the antennas is expanding the capacity of the existing tower as encouraged by Utilities Policy 4. The existing tower is at the same location in relation to the residential development, and the intrusion is minimal and not at grade.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Applicant is advised that a bond is required prior to the construction of a tower; this approval also includes all future antennas proposed in conjunction with this tower, provided all future antennas are determined to not be visually obtrusive to this area; in order to construct this tower, building permits must be obtained for this tower prior to building permits being issued for any other communication tower within a radius of 600 feet, otherwise additional land use applications may be required; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works – Development Review

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: Crown Castle

CONTACT: Gwendolyn Fischer, 6671 Las Vegas Boulevard South, Building D, Las Vegas,
NV 89119

DRAFT